

REMARKS

This application has been reviewed in light of the Final Office Action mailed on November 5, 2002. Claims 1-10 are pending in the application with Claims 1, 9 and 10 being in independent form. By the present amendment, Claims 11-14 have been added. No new matter or issues are believed to be introduced by the amendments.

Applicants gratefully acknowledge the withdrawal of the rejection under 35 U.S.C. §112, second paragraph. However, Applicants respectfully disagree with the Examiner's contention that Applicants defined the term "projection line" with respect to vertebrae, and that Claims 3 and 6 are therefore limited to imaging of vertebrae. Applicants respectfully assert that the term "projection line" is defined within the specification with respect to imaging any anatomical part, including vertebrae, in accordance with the methods and apparatus of the present invention.

Applicants stated in the previous response that "projection line" corresponds to lines which are perpendicular to the spinal axis line 21. The projection line is generated such that there is no overlap with parts of the anatomy for the portion of the anatomy (e.g., vertebrae of interest) of the patient so that a clear image of the area of interest is provided. Applicants' previous response dated July 22, 2002, page 9, lines 10-15 in conjunction with the specification at page 9, line 28 to page 10, line 25. Applicants included the term "vertebrae of interest" in parenthesis and preceded the term with the abbreviation for the term "for example." That is, the imaging of vertebrae is one example of an anatomical part for which the present invention can be used for. The specification at page 6, lines 33-34 clearly states, "The invention can in general be used for imaging different anatomical parts of the human anatomy." Similar language is provided at other

parts of the application, such as on page 1, lines 1-6 of the specification. Therefore, at least Claims 3 and 6 should not be limited to only imaging of vertebrae, but imaging of any anatomical part.

Claims 1; 2, 7, 9 and 10 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,369,678 issued to Chiu et al. on November 29, 1994 ("Chiu et al."). Claims 1-10 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,365,562 issued to Toker on November 15, 1994 ("Toker"). The rejections are respectfully traversed.

Applicants respectfully disagree with the statements in the Final Office Action that it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the inventions disclosed by Chiu et al. and Toker to image more than one part of the body either simultaneously or at different times. Only Applicants have realized a method and apparatus for imaging a plurality of anatomical parts by determining positions and/or orientations of the plurality of anatomical parts in a region of interest, determining optimum imaging parameters for each of the plurality of anatomical parts from their positions and/or orientations, and acquiring images of the plurality of anatomical parts while using respective optimum imaging parameters for each of the plurality of anatomical parts, as recited by Applicants' Claims 1, 9 and 10. There is no disclosure or suggestion in the cited references to image a plurality of anatomical parts according to the claimed method and apparatus of the present invention. Hence, Claims 1, 9 and 10 contain patentable subject matter and are therefore patentably distinct over the cited references.

Additionally, Applicants maintain the same arguments presented in response to the previous Office Action with respect to the rejections under 35 U.S.C. §103(a) of Claims

1-9 over Chiu et al. and Toker. Applicants also apply these arguments with respect to the two rejections under 35 U.S.C. §103(a) of Claim 10 over Chiu et al. and Toker.

Accordingly, withdrawal of the rejections with respect to Claims 1, 9 and 10 and allowance thereof are respectfully requested.

Dependent Claims 2-8 are also believed to contain patentable subject matter and are therefore patentably distinct over the cited references. Further, Claims 2-8 depend from Claim 1 and therefore include the limitations of Claim 1. Therefore, for at least the same reasons given for Claim 1 above, Claims 2-8 are believed to be allowable over the cited references. Accordingly, withdrawal of the rejections with respect to Claims 2-8 and allowance thereof are respectfully requested.

New, dependent Claims 11-14 are believed to contain patentable subject matter and are therefore patentably distinct over the cited references. The cited references do not disclose or suggest generating a scanning trajectory and acquiring images by moving a device along the scanning trajectory as recited by Applicants' Claims 11 and 14. Further, the cited references do not disclose or suggest generating a scanning trajectory using an optimum projection line determined for each anatomical part in the region of interest as recited by Applicants' Claim 12.

Further still, the cited references do not disclose or suggest moving at least one device along a scanning trajectory as recited by Applicants' Claim 13. Additionally, new, Claims 11-14 depend from Claims 1, 9 and 10 and therefore include the limitations of Claims 1, 9 and 10. Therefore, for at least the same reasons given for Claims 1, 9 and 10 above, Claims 11-14 are believed to be allowable over the cited references.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-14, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call John Vodopia, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9627.

Respectfully submitted,



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